



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

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271 Cadman Plaza East  
Brooklyn, New York 11201

December 7, 2016

**BY ELECTRONIC FILING**

The Honorable Dora L. Irizarry  
Chief Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Alfaro v. United States Customs and Border Prot. et al.*  
Civ. No. 16-CV-2199 (Irizarry, J.) (Mann, M.J.)

Dear Chief Judge Irizarry:

This Office represents defendants United States Customs and Border Protection, United States Department of Homeland Security and the United States of America (collectively, "United States") in the above-referenced action, brought by plaintiff Blanca Maria Alfaro under *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971) and the Federal Tort Claims Act, 28 U.S.C. § 2671 *et seq.* On October 27, 2016, the Court set a briefing schedule in connection with the United States' anticipated dispositive motion. *See* Order dated October 27. The undersigned Assistant United States Attorney writes, with the consent and concurrence of plaintiff, to respectfully request that the Court extend the briefing schedule for 20 days in light of the fact that the parties appear to be close to a settlement in this matter. This is the parties' first request for an extension of the briefing schedule.

The requested extension of time would permit the parties an opportunity to finalize their settlement negotiations. The parties submit that, should it be granted, the extension would best serve the interest of judicial economy and avoid needless expense by the parties.

*Honorable Dora L. Irizarry*

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Accordingly, in the event the matter does not settle, the parties submit the following proposed amended briefing schedule for the Court's approval:

1. Defendants shall serve their motion to dismiss by December 29, 2016;
2. Plaintiff shall serve her opposition papers by February 9, 2017;
3. Defendants shall serve their reply, and the fully briefed motion shall be filed by March 1, 2017.

Respectfully submitted,

ROBERT L. CAPERS  
United States Attorney

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